

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION


MOHAMED Q. MURSHED,)	CASE NO.1:08CV1266
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
Vs.)	
)	
MOHAMED ELDER, ET AL.,)	ORDER
)	
Defendant.)	

CHRISTOPHER A. BOYKO, J:

On November 13, 2008, Plaintiff Mohamed Q. Murshed filed his Motion for Default Judgment against Defendant Mohamed Elder (ECF # 13). Plaintiff's Motion was accompanied by an affidavit of Plaintiff's counsel attesting to service on Defendant and the amount owed. However, the affidavit does not attest that Defendant is neither a minor nor incompetent. Furthermore, the affidavit does not attest to the Defendant's military status as required by the Soldiers and Sailors Relief Civil Relief Act of 1940, 50 U.S.C.A. §501 *et seq.* Therefore, the Court denies Plaintiff's Motion at this time. Plaintiff may refile with all required supporting materials.

IT IS SO ORDERED.

FILED
JAN 15 2009
CLERK OF COURTS
U.S. DISTRICT COURT, N.D.O.
CLEVELAND


CHRISTOPHER A. BOYKO
United States District Judge